

**A CERTIFIED TRUE COPY**

JUL 11 2006

ATTEST  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATIONFILED  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF LA

2006 JUL 12 AM 11:13

LORETTA G. WHYTE  
DOCKET NO. 00366JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

JUN 23 2006

FILED  
CLERK'S OFFICE

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY  
LITIGATION**

CA 6:06-0366

(SEE ATTACHED SCHEDULE)

NELSON V. MERCK

**CONDITIONAL TRANSFER ORDER (CTO-54)****ENTERED**

JUL 18 2006

TERESA L. DEPPNER, CLERK  
U.S. District Court  
Southern District of West Virginia

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 3,956 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, 360 F.Supp.2d 1352 (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

JUL 11 2006

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATIONCLERK'S OFFICE  
A TRUE COPY

JUL 18 2006

Deputy Clerk, U.S. District Court  
Eastern District of Louisiana  
New Orleans, LA

Fee \_\_\_\_\_  
Process \_\_\_\_\_  
X Dkt'd \_\_\_\_\_  
CtRmDep \_\_\_\_\_  
Doc. No. 5755

**SCHEDULE CTO-54 - TAG-ALONG ACTIONS**  
**DOCKET NO. 1657**  
**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY**  
**LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA</u> <u>Sec. L/3</u>
<b>ALABAMA MIDDLE</b>		
<del>ALM 2 06-488</del>	<del>Felix Arrington, et al. v. Merck &amp; Co., Inc., et al. Opposed 7/10/06</del>	
<b>ALABAMA NORTHERN</b>		
ALN 2 06-993	Charles W. Glover, et al. v. Merck & Co., Inc.	06-3555
ALN 2 06-998	Jeannie Diane Whittington v. Merck & Co., Inc.	06-3556
ALN 4 06-954	Jeff McWilliams, et al. v. Merck & Co., Inc.	06-3557
<b>ARKANSAS EASTERN</b>		
ARE 3 06-86	Carol G. Watkins, etc. v. Merck & Co., Inc.	06-3558
ARE 5 06-131	Rosalie Belvedresi, et al. v. Merck & Co., Inc.	06-3559
<b>CALIFORNIA CENTRAL</b>		
CAC 8 06-451	Antonio Sanchez, et al. v. Merck & Co., Inc.	06-3560
<b>CALIFORNIA NORTHERN</b>		
CAN 3 06-3240	George Fudge, et al. v. Merck & Co., Inc.	06-3561
<b>COLORADO</b>		
CO 1 06-965	Gracie Abeyta v. Merck & Co., Inc.	06-3562
CO 1 06-976	Horst Adam v. Merck & Co., Inc.	06-3563
CO 1 06-977	John Barall-Inman v. Merck & Co., Inc.	06-3564
CO 1 06-978	Jared Birely v. Merck & Co., Inc.	06-3565
CO 1 06-979	Charlene Clark v. Merck & Co., Inc.	06-3566
CO 1 06-980	Jackie Clark v. Merck & Co., Inc.	06-3567
CO 1 06-981	Ronald Clark v. Merck & Co., Inc.	06-3568
CO 1 06-982	Patricia Gillaspay v. Merck & Co., Inc.	06-3569
CO 1 06-983	May Harris v. Merck & Co., Inc.	06-3570
CO 1 06-984	Bill James v. Merck & Co., Inc.	06-3571
CO 1 06-985	Leonard Johnson v. Merck & Co., Inc.	06-3572
CO 1 06-986	Merry Lepper v. Merck & Co., Inc.	06-3573
CO 1 06-987	Raymond Masel v. Merck & Co., Inc.	06-3574
CO 1 06-988	John McKinley v. Merck & Co., Inc.	06-3575
CO 1 06-989	Larry Shermer, etc. v. Merck & Co., Inc.	06-3576
CO 1 06-990	Gary Tanner v. Merck & Co., Inc.	06-3577
CO 1 06-1000	Gilbert Bell v. Merck & Co., Inc.	06-3578
CO 1 06-1001	Ron Hodge v. Merck & Co. Inc.	06-3579
CO 1 06-1002	Marjorie Ann Rix v. Merck & Co., Inc.	06-3580
<b>CONNECTICUT</b>		
CT 3 06-742	Robert Perry, et al. v. Merck & Co., Inc.	06-3581
<b>FLORIDA SOUTHERN</b>		
FLS 0 06-60673	Abraham Kulla, et al. v. Merck & Co., Inc.	06-3582
FLS 0 06-60694	Brian Klemm, et al. v. Merck & Co., Inc.	06-3583
FLS 0 06-60715	Dean DeCarlo, etc. v. Merck & Co., Inc.	06-3584
FLS 0 06-60716	George Kapoglis v. Merck & Co., Inc.	06-3585
FLS 0 06-60717	Pamela Lightsey v. Merck & Co., Inc.	06-3586
FLS 1 06-21223	Leonette Conyers v. Merck & Co., Inc.	06-3587
FLS 9 06-80526	Wayne Stevens, et al. v. Merck & Co., Inc.	06-3588

## SCHEDULE CTO-54 TAG-ALONG ACTIONS (MDL-1657)

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA</u> <u>Sec. L/3</u>
GEORGIA MIDDLE GAM 5 06-183	Thomas E. Joyner v. Merck & Co., Inc.	06-3589
GEORGIA NORTHERN GAN 1 06-1298	Ann B. Stone v. Merck & Co., Inc.	06-3590
IOWA SOUTHERN IAS 4 06-216	Gregory Johnson, et al. v. Merck & Co., Inc.	06-3591
IDAHO ID 1 06-212	Gary Baggett, et al. v. Merck & Co., Inc.	06-3592
ILLINOIS NORTHERN ILN 1 06-2986	Brenda Watson, etc. v. Merck & Co., Inc.	06-3593
ILLINOIS SOUTHERN <del>ILS 3 06-371</del>	<del>Susan Brooks v. Merck &amp; Co., Inc., et al. Opposed 7/7/06</del>	
ILS 3 06-375	Nathaniel Webster, et al. v. Merck & Co., Inc.	06-3594
ILS 3 06-391	Dolores Coulter v. Merck & Co., Inc., et al.	06-3595
ILS 3 06-415	Barbara Siuba v. Merck & Co., Inc.	06-3596
INDIANA SOUTHERN INS 1 06-764	Janet Cicenias, etc. v. Merck & Co., Inc.	06-3597
KANSAS KS 2 06-2193	Linda Wilkerson v. Merck & Co., Inc.	06-3598
MARYLAND MD 1 06-1202	John W. Melvin v. Merck & Co., Inc.	06-3599
MD 1 06-1204	Thomas J. Bongiovani v. Merck & Co., Inc.	06-3600
MD 1 06-1205	Tawanda Baker, et al. v. Merck & Co., Inc.	06-3601
MAINE ME 2 06-102	Anthony Wedge, et al. v. Merck & Co., Inc.	06-3602
ME 2 06-103	Rene Dechaine, et al. v. Merck & Co., Inc.	06-3603
MINNESOTA MN 0 06-1699	Joel Moore, etc. v. Merck & Co., Inc.	06-3604
MN 0 06-1751	Dixie Fritz, et al. v. Merck & Co., Inc.	06-3605
MN 0 06-1752	Charles Hager, et al. v. Merck & Co., Inc.	06-3606
MN 0 06-1753	Dennis Wendt, et al. v. Merck & Co., Inc.	06-3607
MN 0 06-1754	Paul Bowman, et al. v. Merck & Co., Inc.	06-3608
MN 0 06-1757	Robert J. Pirkel, et al. v. Merck & Co., Inc.	06-3609
MN 0 06-1770	Kathleen M. Thurston v. Merck & Co., Inc.	06-3610
MN 0 06-1813	Gertie Brenell Wilson-Cheatham, etc. v. Merck & Co., Inc.	06-3611
MN 0 06-1871	Marie Carr, et al. v. Merck & Co., Inc., et al.	06-3612
MN 0 06-2138	June Nevill v. Merck & Co., Inc.	06-3613
MN 0 06-2174	Irene Kidwell, etc. v. Merck & Co., Inc.	06-3614
MN 0 06-2259	John T. Parham, etc. v. Merck & Co., Inc.	06-3615
MISSISSIPPI NORTHERN MSN 2 06-95	Essie Bryson v. Merck & Co., Inc.	06-3616
NEVADA NV 2 06-653	Dean Dalan v. Merck & Co., Inc.	06-3617
NV 2 06-654	Joey Villafior v. Merck & Co., Inc.	06-3618

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA</u>
<b>NEW YORK EASTERN</b>		
NYE 1 06-2714	Anthony Roca v. Merck & Co., Inc.	Sec. L/3 06-3619
NYE 1 06-2715	Warren K. Booth, Jr., etc. v. Merck & Co., Inc.	06-3620
<b>NEW YORK NORTHERN</b>		
NYN 1 06-670	Cindy Anderson, etc. v. Merck & Co., Inc., et al.	06-3621
NYN 1 06-671	Edward A. Lighthart, etc. v. Merck & Co., Inc., et al.	06-3622
NYN 1 06-672	Eugene O. Swartz, etc. v. Merck & Co., Inc., et al.	06-3623
NYN 5 06-667	David A. Greenway, etc. v. Merck & Co., Inc., et al.	06-3624
NYN 5 06-669	Christina Y. Watson, etc. v. Merck & Co., Inc., et al.	06-3625
<b>NEW YORK SOUTHERN</b>		
NYS 1 06-3695	Dozin Smith v. Merck & Co., Inc.	06-3626
<b>NEW YORK WESTERN</b>		
NYW 6 06-6260	Jerome Ferguson, Sr., etc. v. Merck & Co., Inc., et al.	06-3627
NYW 6 06-6261	Cameron W. Nowell v. Merck & Co., Inc., et al.	06-3628
NYW 6 06-6262	Carol A. Royer, etc. v. Merck & Co., Inc., et al.	06-3629
NYW 6 06-6263	Ronald R. Zyglis, etc. v. Merck & Co., Inc., et al.	06-3630
NYW 6 06-6264	Jeremiah J. Nugent, Sr., etc. v. Merck & Co., Inc., et al.	06-3631
NYW 6 06-6265	William C. Kothe, etc. v. Merck & Co., Inc., et al.	06-3632
NYW 6 06-6266	James A. Kuczmarski, etc. v. Merck & Co., Inc., et al.	06-3633
NYW 6 06-6267	William A. Nistor, Sr., etc. v. Merck & Co., Inc., et al.	06-3634
<b>OHIO NORTHERN</b>		
OHN 1 06-1284	Joyce G. Gannon, et al. v. Merck & Co., Inc.	06-3635
<b>OKLAHOMA WESTERN</b>		
OKW 5 06-568	Cleo Fowler, et al. v. Merck & Co., Inc.	06-3636
<b>PENNSYLVANIA EASTERN</b>		
PAE 2 06-1345	Marjorie E. Thomas, et al. v. Merck & Co., Inc.	06-3637
PAE 2 06-2021	Debra King, etc. v. Merck & Co., Inc., et al.	06-3638
PAE 2 06-2022	Alauddin Ahmed, et al. v. Merck & Co., Inc., et al.	06-3639
PAE 2 06-2063	Robert Lee Bryant, et al. v. Merck & Co., Inc., et al.	06-3640
PAE 2 06-2064	Eldridge W. Johnson v. Merck & Co., Inc., et al.	06-3641
PAE 2 06-2066	Bert E. Wilson, et al. v. Merck & Co., Inc., et al.	06-3642
PAE 2 06-2067	Jo Anne Bredesen v. Merck & Co., Inc., et al.	06-3643
PAE 2 06-2131	Tommy Anderson, et al. v. Merck & Co., Inc., et al.	06-3644
PAE 2 06-2266	Ray Yant, et al. v. Merck & Co., Inc., et al.	06-3645
PAE 2 06-2268	Cheryl Johnson-Tschida, et al. v. Merck & Co., Inc., et al.	06-3646
PAE 2 06-2269	Warren F. Knight, et al. v. Merck & Co., Inc., et al.	06-3647
PAE 2 06-2275	Daniel Dagny, et al. v. Merck & Co., Inc.	06-3648
PAE 2 06-2293	Jacqueline Klossner v. Merck & Co., Inc., et al.	06-3649
PAE 2 06-2312	Gerald Baity v. Merck & Co., Inc., et al.	06-3650
<b>PENNSYLVANIA WESTERN</b>		
PAW 2 06-691	Gerald Krieger v. Merck & Co., Inc.	06-3651
PAW 2 06-710	Joyce Zilliot v. Merck & Co., Inc.	06-3652
<b>SOUTH DAKOTA</b>		
SD 1 06-1016	James Marling v. Merck & Co., Inc.	06-3653
SD 1 06-1017	Gail R. Hopfinger, etc. v. Merck & Co., Inc.	06-3654

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA</u>
<b>TEXAS EASTERN</b>		
TXE 2 06-213	John Johnston v. Merck & Co., Inc.	Sec. L/3 06-3655
TXE 2 06-218	Pamela Smith, et al. v. Merck & Co., Inc.	06-3656
TXE 9 06-108	John Martin McClain v. Kenneth C. Frazier, et al.	06-3657
<b>TEXAS NORTHERN</b>		
TXN 3 06-900	James Henry v. Merck & Co., Inc.	06-3658
TXN 3 06-938	Rickey Lynn Higgins v. Merck & Co., Inc.	06-3659
TXN 4 06-334	Kenneth Mathis v. Merck & Co., Inc.	06-3660
TXN 4 06-352	Sondra S. Light, etc. v. Merck & Co., Inc.	06-3661
TXN 4 06-354	Merrilyn Hobbs v. Merck & Co., Inc.	06-3662
TXN 4 06-355	Kim Gatlin v. Merck & Co., Inc.	06-3663
TXN 4 06-363	Gordon Sharratt v. Merck & Co., Inc.	06-3664
TXN 4 06-364	Ralph Michael Lane v. Merck & Co., Inc.	06-3665
<b>TEXAS SOUTHERN</b>		
TXS 4 06-1638	Vera Quiroz, et al. v. Med-Cure Primary Care Physicians, PA, et al.	06-3666
<del>TXS 4 06-1772</del>	<del>Joyce Calloway, et al. v. Merck &amp; Co., Inc. Opposed 6/30/06</del>	
<b>TEXAS WESTERN</b>		
TXW 1 06-373	Larry Jimenez, et al. v. Merck & Co., Inc.	06-3667
<b>UTAH</b>		
<del>UT 2 06-406</del>	<del>State of Utah v. Merck &amp; Co., Inc. Opposed 7/11/06</del>	
<b>VIRGINIA EASTERN</b>		
VAE 1 06-609	Mladenka Mastilovic, etc. v. Merck & Co., Inc.	06-3668
<b>WEST VIRGINIA NORTHERN</b>		
WVN 1 06-78	James Harold Harper v. Merck & Co., Inc.	06-3669
WVN 1 06-79	Claude Cunningham, etc. v. Merck & Co., Inc.	06-3670
WVN 2 06-52	Charles R. Goff v. Merck & Co., Inc.	06-3671
<b>WEST VIRGINIA SOUTHERN</b>		
WVS 1 06-371	Howard D. Davidson v. Merck & Co., Inc.	06-3672
WVS 2 06-358	Charles S. Tyson v. Merck & Co., Inc.	06-3673
WVS 2 06-359	Merrill Lesile Irving, etc. v. Merck & Co., Inc.	06-3674
WVS 2 06-360	Lester Doneff v. Merck & Co., Inc.	06-3675
WVS 2 06-361	John E. Morris v. Merck & Co., Inc.	06-3676
WVS 2 06-362	Kelly J. Elswick, etc. v. Merck & Co., Inc.	06-3677
WVS 2 06-363	Jack Lee West v. Merck & Co., Inc.	06-3678
WVS 5 06-372	Louie Cundiff Rakes, Jr. v. Merck & Co., Inc.	06-3679
WVS 6 06-366	Linda L. Nelson v. Merck & Co., Inc.	06-3680
WVS 6 06-367	Henry C. Jones v. Merck & Co., Inc.	06-3681